

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Heinz-Gerd Klaes, et al) Confirm. No.: 6931
Serial No.: 10/809,250) Art Unit: 1623
Filed: March 25, 2004) Examiner: Devesh Khare
For: Pharmaceutical composition of antiviral agents
Docket No.: 1/1477

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This is in response to a communication from the Examiner in charge of the subject application, which communication was mailed on August 24, 2006. In that Office communication, a one-month shortened statutory period was set for response. Therefore, this response is timely. However, if it is determined that an extension of time under 37 C.F.R. § 1.136 is necessary, applicants hereby petition for the necessary extension of time and authorize the Commissioner to charge any fee required under 37 C.F.R. § 1.17(a) in connection with this Reply to Deposit Account No. 02-2955. Furthermore, if it is determined that any additional fees under 37 C.F.R. §§ 1.16 or 1.17 are due in connection with this amendment the Commissioner is, hereby, authorized to charge such fees to Deposit Account No. 02-2955.

In the Office Action dated August 24, 2006, the Examiner imposed a restriction requirement. Applicants hereby elect group I (claims 1-19 and 39-51) drawn to a pharmaceutical composition comprising nevirapine and at least one antiviral active compound of formula (I) (nucleoside) and a kit thereof. Applicants reserve the right to prosecute in one or more divisional applications whatever subject matter is not examined or allowed here.

Application No. 10/809,250
Response dated September 18, 2006
Reply to Office communication of August 24, 2006

Applicants respectfully submit that all the pending claims are allowable and therefore solicit a Notice of Allowance for all of the pending claims. If the Examiner feels that a telephone interview would be helpful in advancing prosecution of this application, the Examiner is invited to contact the attorney below.

Respectfully submitted,

/Paula K. Wittmayer/

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